

1 UNITED STATES DISTRICT COURT  
 2 EASTERN DISTRICT OF TENNESSEE  
 3 AT CHATTANOOGA

4 -----  
 5 ISABEL TERESA FERNANDEZ )  
 6 JENKINS, as next of kin )  
 7 of MYKEL D. JENKINS )  
 8 (Deceased), )

9 Plaintiff, )

10 vs. )

Civil Action 1:22-cv-69

11 CITY OF CHATTANOOGA; )  
 12 CHATTANOOGA POLICE )  
 13 DEPARTMENT; JOHN DOE 1, )  
 14 JOHN DOE 2, JOHN DOE 3, )  
 15 and JOHN DOE 4, in their )  
 16 official capacities as )  
 17 agents for the Chattanooga )  
 18 Police Department. )

19 Defendants. )

20 -----  
 21 Chattanooga, Tennessee  
 22 August 2, 2023

23 DEPOSITION OF ISABEL FERNANDEZ JENKINS  
 24 -----  
 25

1 A Yes.

2 Q Yes, ma'am. May have been just a statement they  
3 were taking in connection with --

4 A Well, they asked me --

5 Q -- his death.

6 A -- to -- they told me -- I thought they were going  
7 to put me in jail, because they asked me to put my hand  
8 up and tell truth and the whole truth. And I did not  
9 know what they were doing, you know. And they put me  
10 back in the room and locked the door. They wouldn't let  
11 anybody back there, and it was just me and that sheriff.  
12 And they were asking me all sorts of questions, what  
13 happened. And I don't know what I told them, like I was  
14 telling her, because I just -- I was in shock.

15 Q Yes, ma'am. Yes, ma'am.

16 A And I did not know -- I don't know half of what I  
17 told them.

18 Q Yes, ma'am. Well, we will get to the point of  
19 where we can talk about what you did as a prior statement  
20 at some point here in our discussion today. But I am  
21 mainly wanting to at least tell you that you're not being  
22 locked in a room. You can take a break whenever you  
23 wish, because this is a civil deposition in connection  
24 with this matter. And if you need to take a break at  
25 some point in time, the one thing I would ask you to do

1 me about it, and I never really knew that he was on  
2 there -- he was on meth. My daughters knew, but I never  
3 knew. Because I did not know how people acted when they  
4 were on meth. So, you know, so I never thought he was on  
5 meth, ever.

6 Q Okay. But at least as far as 2308 Barbara Lane,  
7 that was, I guess, a friend of Mykel's, and his first  
8 name was Doug?

9 A Yeah.

10 Q Okay. And that's in Soddy-Daisy, Tennessee?

11 A Yes.

12 Q Looks like all the other addresses I have on Mykel  
13 here appear at, I guess, either his dad's address at 3974  
14 Arkwright Street or a 3986 Arkwright Street in Lupton  
15 City. Was that maybe the dad's parents' property?

16 A It might've been. It might've been. Or it  
17 might've been the house next door, because it was, it  
18 was -- that was his also.

19 Q Okay. And I showed that at least Mykel was living  
20 at 3974 Arkwright Street for, it looks like six years,  
21 from 2010 up through 2016. Did he move in with his dad  
22 for a while and not stay with you? Or how did that work?

23 A He would stay -- he didn't -- he stayed with his  
24 dad, and then he left. But he didn't stay with me until  
25 after, you know, after my mom passed away. So, he stayed

1 A No.

2 Q Don't know?

3 A No. I knew he worked in roofing and he also  
4 painted. He was working, you know, somewhere, painting a  
5 house.

6 Q Houses?

7 A Yeah.

8 Q Do you know the person he was working with or --

9 A No.

10 Q And that wasn't the Doug fellow at all, was it?

11 A At one point he worked with Doug.

12 Q Okay.

13 A But that's, that's when he was living with me, you  
14 know. And he -- so I knew he went to work. Because Doug  
15 would pick him up and he would go to work and then he  
16 would come home.

17 Q Okay.

18 A And so, you know, I know that one. And they  
19 were -- and Doug had gotten him the work, and that -- but  
20 he never told me where he worked. He didn't talk to me  
21 about his life, pretty much.

22 Q Yes, ma'am. Were you aware that Mykel got into  
23 problems with, I guess, an aggravated assault charge here  
24 in 2014 when he was 25 years old?

25 A Is that the one that -- when he went to jail?

1 got video footage at that point in time of Mykel  
2 committing the theft. So that was the reason for the  
3 charge at least of theft on that day.

4 A Okay.

5 Q And the officer was notified that Mykel had  
6 returned to the corner of Thrushwood Drive/Ashland  
7 Terrace, appearing to be smoking marijuana.

8 Did Mykel smoke marijuana?

9 A I didn't know. I've never been around him when he  
10 did, you know. He didn't with me.

11 Q Yes, ma'am. So apparently they identified 600  
12 Ashland Terrace as a Circle K here. So, it's a Circle K  
13 store.

14 And then apparently the officer went back to 3624  
15 Premium Drive. And upon arrival, Mykel's mother -- and  
16 that'd be you -- allowed the police to check the home for  
17 Mykel, and Mykel wasn't in the house at that point in  
18 time. But next door he observed Mykel hiding along the  
19 north side of the home, still not wearing a shirt,  
20 wearing blue jeans and the same baseball cap, and told  
21 Mykel to come with him. At that point in time he did not  
22 go with the officer.

23 Were you familiar with that? Did you see that  
24 occur at that point?

25 A I knew that he -- I know that -- I remember

1 Q Have you ever met Officer Andrew Serret before?  
2 He's the fellow that you let in the house to look.

3 A I, I know -- I mean, I saw him, but, you know, I  
4 don't know his name. We didn't -- I don't know any of  
5 the policemen's name.

6 Q Yes, ma'am. Don't have any reason to believe he  
7 would make something up that he put in the police report,  
8 do you, ma'am?

9 A I don't, I don't know. I don't think so.

10 Q Whenever Mykel was taken to the hospital, Memorial  
11 Hixson, in, I guess, October of 2015, he admitted to  
12 being under the influence of meth and alcohol at that  
13 point in time. Were you aware of that, ma'am?

14 A No, sir.

15 Q As far as Mykel being under the influence of meth,  
16 do you know any times that he was under the influence of  
17 meth? Or did he ever tell you that he had taken meth?

18 A No, he never told me that he'd taken meth. I  
19 don't even know what meth is.

20 Q Yes, ma'am.

21 A But I -- I don't know.

22 Q So that was a little over six months before this  
23 incidence in March of 2021 whenever Mykel was under meth  
24 at that point in time as well. Do you know if he did  
25 anything in the interim?

1 other -- another hole that he had [sic].

2 Q At other locations?

3 A Yeah.

4 Q At least the dispatcher reference here is that he  
5 was yelling and throwing things around the house and had  
6 thrown a beer can at you, which put you in fear. Do you  
7 remember telling them that?

8 A Yes. That was, that was -- he threw a beer. But  
9 he didn't throw it at me, he just threw it, you know.  
10 And it was -- and it went that way, and I thought it was  
11 going to hit me. I just -- I was fearful because he was,  
12 you know, mad. But I know that, but I know that he -- I  
13 was afraid that he was going to destroy my house, you  
14 know. You know, that it would be really a mess, you  
15 know; that he was going to really leave a mess, and I  
16 didn't want that to happen.

17 Q Yes, ma'am. The report is talking about broken  
18 glass from picture frames and a bookshelf in the living  
19 room which was hit by some type of long knife or sword.  
20 Did he have some kind of knife or sword?

21 A No. No, he did not.

22 Q He did have a long stick, didn't he, ma'am, that  
23 had a sharp point on it?

24 A No.

25 Q Didn't see that?

1 don't know his name. And when he did that that morning,  
2 he wasn't in his office.

3 Q We'll have to try to figure out if we can figure  
4 out who the officer was there on the 2nd.

5 The officer apparently put Mykel into custody that  
6 day. Do you remember him being taken out and being  
7 arrested because of that incidence on the 2nd of March?

8 A Yes, I remember them taking him.

9 Q Okay. And did you tell the officers that  
10 Mr. Jenkins goes through episodes where he gets very  
11 upset and damages your home?

12 A I told them that he was depressed and -- he's  
13 depressed, and that the depression pretty much came from  
14 his father passing away without letting us know that he  
15 had cancer.

16 Q Yes, ma'am. Well, at least at this point, in  
17 2021, his dad's been dead for about four years, right?

18 A Yes. But he's been -- he was always...

19 Q Depressed afterwards?

20 A Yes.

21 Q Yes, ma'am.

22 A And he never, he never got -- he never went and  
23 got help for it.

24 Q Yes, ma'am. So at least in March of 2021, Mykel  
25 was 29 years old at that point, correct, ma'am?



1 you know. After I saw a hole in the wall, you know, I  
2 knew that was going to cost me a lot, you know, a lot to  
3 fix.

4 Q So Officer Erwin wasn't making those parts up in  
5 the report then?

6 A About, about what?

7 Q What he was writing down in the report here, about  
8 the hole in the wall and throwing the beer can?

9 A There was a hole in the wall and there was a beer  
10 can, yes. Yes. I did not have any problems with him.

11 Q Okay. Let me show you another report here. And  
12 this is going to be on March the 19th. We'll look into  
13 this just a little bit.

14 (Exhibit 6 was marked.)

15 BY MR. NOBLETT:

16 Q And at least the reference on this report on here  
17 was at least at 10:14 hours on here. Is that 10:14 in  
18 the morning?

19 A In the morning.

20 Q Yes, ma'am. When did Mykel get over to the house  
21 that day, on the 19th?

22 A He spent the night. He was -- he, he slept there.

23 Q At your house?

24 A He was -- yeah.

25 Q Do you know when he took the methamphetamine that

1 Q Never found any syringes?

2 A Never. Never. So, I don't think he'd ever done  
3 that. Because he didn't like going to the doctor and  
4 getting shots either. So, I don't think...

5 Q Well, on the morning of the 19th, this report at  
6 least indicates, [Exhibit No. 6](#), that Officer Epling with  
7 the police department initially responded to a  
8 disorder/mental health call at your house. And the  
9 complainant, which is you, advised that her son was on  
10 scene and was destroying your room at that point.

11 Tell me a little bit about that.

12 A No. He wasn't destroying my room. He wasn't  
13 destroying anything. He was going back and forth, back  
14 and forth, back and forth, back and forth, and talking to  
15 himself and acting weird. And then he went outside. And  
16 I think that's where the other member of [sic] -- called.  
17 Because there was another call that day.

18 Okay. And because the neighbor heard him  
19 screaming and yelling and hollering. And I guess they  
20 were afraid for me. Because they were screaming -- he  
21 was screaming, yelling and hollering. And he was  
22 around -- going around the house. And he wouldn't sit  
23 down. He couldn't sit down. He was just, like, moving  
24 around and really upset.

25 He had been drinking beer. And he had beer, you

1 know -- he had been drinking beer. And I asked him, I  
2 said, did you drink beer all night? He said, no, I just  
3 had, I just had some beer.

4 I said, well, there's no beer left. So you  
5 must've drank all of it, you know.

6 And he says, he says, well, he -- but I'm okay.

7 And I said, well, you don't seem okay to me. You  
8 seem, you know -- and he says, well, I'm okay. He says,  
9 okay.

10 And then he started, you know, going here and  
11 there. And he was, like, you know -- so I, I said,  
12 Mykel, I think you need to go to the doctor, you know. I  
13 think something's going on. I think you're not feeling  
14 good.

15 And he says, no, mom, I'm okay.

16 And I said, no, I think you need to go.

17 And then -- all of a sudden, he, he starts doing  
18 it again. And I couldn't, I couldn't get him to sit  
19 down. So I just called the policeman. And when the  
20 policeman came to the door, I told them that Mykel was in  
21 the room and that, please, take him to the hospital  
22 because I think he needs to be seen by the doctor, just,  
23 you know, to see what's going on with him.

24 Q Do you know how much beer you had in the house  
25 on --

1       A    I don't know what it was, but -- I don't know.  
2   He -- they showed me a knife, but the knife they showed  
3   me was -- had been in the kitchen. And it was in the  
4   kitchen and it wasn't in Mykel's room. It was in the  
5   sink, you know. It was in the sink. When I went back  
6   there, when they told me to go to the den, it was still  
7   in the sink.

8       Q    Yes, ma'am.

9       A    So, he did not have a knife.

10      Q    Yes, ma'am.

11      A    Or at least it wasn't that knife. But he didn't  
12   have no knife.

13      Q    Yes, ma'am. There was quite bit of body cam  
14   information showing what Mykel had that day. You've  
15   never looked at that, though?

16      A    No.

17      Q    Okay. So, regarding the incidence that occurred  
18   in Mykel's room there somewhere after 10:00 in the  
19   morning on March the 19th, you did not see what happened  
20   inside the room, correct?

21      A    They told me to leave.

22      Q    Yes, ma'am.

23      A    They sent me, they sent me to my bedroom and then  
24   they sent me to the den.

25      Q    Yes, ma'am.

1       A    I don't know what it was, but -- I don't know.  
2   He -- they showed me a knife, but the knife they showed  
3   me was -- had been in the kitchen. And it was in the  
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23      A    They sent me, they sent me to my bedroom and then  
24   they sent me to the den.

25      Q    Yes, ma'am.

1       A    And they told me to leave.

2       Q    Yes, ma'am.

3       A    And then the minute I go to sit down in the den, I  
4   hear the shotguns. I hear the gun going off.

5       Q    All right. So, just wanted to make sure I have  
6   for the record, you did not see what happened at the time  
7   Mykel was shot, correct?

8       A    No. I heard it.

9       Q    And you do not know what Mykel was doing before  
10   the time he got shot, correct?

11      A    Yes. I, I know he went to the bathroom and then  
12   he went to other side of the bedroom -- the bed. Because  
13   I saw from, I saw from my room that he was on the other  
14   side of the bed, and I saw that he -- that he had jumped  
15   up on the bed, and he came down and then they, they shot  
16   him with the thing and he screamed really loud.

17      Q    So you actually saw him get shot?

18      A    I -- the electric, I --

19      Q    The taser shot?

20      A    The taser. I saw -- I did not know what it was,  
21   but I saw, you know, I saw him, you know -- I saw the  
22   shadows of him, you know. And then I, and then I heard  
23   him fall and then I heard him scream loud. I mean, I've  
24   never heard a scream like that ever. And I heard the  
25   scream. And then that's when the policeman turned over

1     yourself?

2           A     No. I didn't see them. No. I didn't even know  
3     their names.

4           Q     Did y'all ever set up any type of, I guess, estate  
5     on behalf of Mykel here after his death, go through the  
6     court system and set up any kind of estate?

7           A     No.

8           Q     Okay. Did you get any medical bills at all that  
9     were Mykel's here in connection with this incident?

10          A     I think there was. And then they -- but it went  
11     to Mykel, you know, and they said I didn't have to pay.  
12     The police -- not the police, the doctor...

13          Q     The doctor said that?

14          A     They said, well, it's not in your name, so you  
15     don't have to pay.

16          Q     So you didn't have to pay any medical bills  
17     associated with Mykel's death?

18          A     They didn't, they didn't continue sending me  
19     anything.

20          Q     Okay. I think the last thing I was wanting to ask  
21     you about is the jobs that Mykel had. Do you know any  
22     specific employers that Mykel had at all?

23          A     No. I'm sorry.

24          Q     Okay. So, as far as any, I guess, information  
25     that Mykel would've had -- had he normally filled out